

REMARKS

Receipt of the Office Action of April 11, 2007 is gratefully acknowledged.

Claims 20 - 24 and 28 - 31 are pending and have examined with the following result: claim 24 is objected to under 37 CFR 1.75(c) as being of improper dependent form; claims 1, 28 and 30 under 35 USC 112, first paragraph because the recitation of "digital data is transferred" is considered "new matter;" claims 20 - 24, 28, 30 and 31 under 35 USC 101 because the claims "are non-statutory" since they do not recite "transformation from one physical state to another;" claim 28 under 35 USC 102(e) by Sunshine et al; claims 24 and 30 under 35 USC 103(a) over Sunshine et al in view of Brobeil; and claim 31 under 35 USC 103(a) over Sunshine et al in view of Boehr et al.

Claim 24 has been cancelled thereby obviating the rejection of claim 24. Claims 28, 30 and 31 have been amended to change "digital data" to "a data signal," which can be found in the specification. The expression "digital data" while not found, identically, in the specification, clearly can be derived from the specification and the circuit shown in the drawings. The transmitted signal has to be digital. However, to expedite prosecution and render the rejection under 35 USC 112, first paragraph, the noted amendment has been made.

Regarding the rejection under 35 USC 101, it is respectfully traversed. The present invention, fundamentally involves a control circuit which uses a signal to control electrical components. As such it is as eligible for proper subject matter under 35 USC 101 as is the Sunshine patent cited by the examiner. In what way is the circuit of the invention not produce a "useful, concrete and tangible" result?

U.S. Pat. Appl. 10/510,072

None is apparent to application. The examiner is urged to reconsider this rejection and to withdraw it from this prosecution.

The art rejections have been carefully considered but found lacking and are therefore respectfully traversed. A circuit with the combination of lines 3, 4 and 5 is not seen in the art of record. It is neither seen or disclosed so that there can be no basis under 35 USC 102 and 103 to prevent patentability.

In view of the above, reconsideration and re-examination are respectfully requested and claims 20 - 23, 28, 30 and 31 found allowable.

Respectfully submitted,
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